

## **SECTION 8. PD PLANNED DEVELOPMENT DISTRICT\***

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\*Editor's note: Ord. No. O-00-26, § 3, repealed section 8, subsections 8.1--8.5, in its entirety and replaced it with new section 8, subsections 8.1--8.4. Former section 8 pertained to similar material and derived from Ord. No. O-81-1, adopted Jan. 19, 1981; and Ord. No. O-00-16, § 4, adopted April 3, 2000.

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### **8.1. Intent and purpose.**

The intent of the PD district is to provide an alternative to the conventional approach to zoning by permitting flexibility and innovation in design, density, placement of buildings, use of open spaces, circulation patterns, and off-street parking areas and to encourage a more creative approach in the development of land in Missouri City, and within the overall density, use regulations and development goals and policies set forth in this ordinance, and in accordance with the elements of the city's adopted comprehensive plan.

The PD district is designed to permit any use or any appropriate combination of uses, which may be planned, developed, or operated as a unified development. It is the general purpose of the PD district classification to:

- A. Encourage enhancement and preservation of lands, which are unique, or of outstanding scenic, environmental, cultural and historical significance;
- B. Encourage infill development, as well as re-development of existing tracts;
- C. Encourage mixed-use development that is designed to be compatible;
- D. Encourage development which takes advantage of creative planning and design techniques, including cluster development, neotraditional or new urbanist development, developments which establish innovative infrastructure financing mechanisms, and developments designed to promote smart growth principles;
- E. Provide an alternative for more efficient use of land and utilities, safer networks of streets, greater conservation and exploitation of open space, natural amenities, and lower construction and maintenance costs to the general public;
- F. Encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with the major thoroughfare and trail plans, and land use relationship with adjacent properties and the general surrounding area;
- G. Facilitate determination of the development's anticipated impact on the tax base, economy, population change, public facilities, and the environment, in order to

enable a proper assessment of costs to be shared by the general public and those to be borne by the developer;

- H. Require the application of professional planning and design techniques to achieve overall coordinated development, eliminating the negative impacts of unplanned and piecemeal development likely to result from rigid adherence to the zoning classifications and standards found elsewhere in this ordinance;
- J. Ensure needed protection for adjoining properties by requiring special landscaping, screening, fencing, access, and architecture.

(Ord. No. O-00-26, § 3, 5-15-2000)

## **8.2. Requirements for a PD district application.**

An application for a PD district shall include a development site plan that meets the following requirements:

- A. Ownership. The entire area within the proposed PD district shall be under unified ownership or control by the applicant at the time of the application with proof of same being submitted.
- B. Legal description of site. In the event that a final plat has not been recorded for the entire area within the proposed PD district, a metes and bounds description shall be submitted. This description shall be prepared and signed by a licensed land surveyor or a registered professional engineer.
- C. Concept plan. This plan shall be prepared at engineering scale of one inch to 40 feet or larger scale and on a sheet size no smaller than 22 by 34 inches, and shall contain a scale, north arrow, name and address of the designer or architect and the applicant. A concept plan, if adopted and approved by the city council, shall become part of the development plan and shall be adhered to by the owner, developer, and his successors in interest.

The concept plan shall indicate:

- 1. The notation of existing physical features and conditions, including tract boundaries, streets, driveways, buildings and other structures, utility provisions and easements.
- 2. A general plan for the use of all lands within the proposed PD district, which addresses pedestrian and vehicular circulation within the entire area and access to outside the PD district, including right-of-way widths, and minimum development guidelines. Development guidelines for residential development shall, at a minimum, include the following: housing type; accessory structures, including location; landscaping, buffering, fencing, and open space; park land and, where applicable, access to the city's trail

system; maximum density, including minimum lot area and widths; maximum building height; minimum building setbacks; and, proposed deed restrictions. Development guidelines for non-residential development shall, at a minimum, include the following: architectural plans to be provided in either textual or graphical format, including elevations and color perspectives; landscaping, buffering, fencing, and open space, including, where applicable, site sections to ensure adequate screening of adjoining residential properties; where applicable, access to the city's trail system; maximum intensity; maximum building height; and minimum building setbacks.

3. Proof indicating that proposed building arrangements are made with the appropriate agencies for the provision of needed utilities to and within the planned development, including, if appropriate, water supply, treatment and distribution where on-site treatment is proposed; storm drainage collection and disposal where on-site disposal is proposed.

D. Development schedule. The development site plan shall be accompanied by a development schedule indicating the approximate date on which construction is expected to begin and the rate of anticipated development to completion. If development is proposed to occur in phases, a development schedule shall be prepared and shall become part of the development plan. Notwithstanding any other provision in the Missouri City Zoning Ordinance to the contrary, the development schedule must include completion of the project within five years of the date the first permit application was filed for the project if no progress has been made towards completion of the project. Development shall occur in conformance with such development schedule. Upon the recommendation of the planning and zoning commission and for good cause shown by the owner and developer, the city council may extend the development schedule or adopt such new development schedule as may be supported by facts and circumstances of the case.

(Ord. No. O-00-26, § 3, 5-15-2000) (Ord. No. 0-06-20, § 3, adopted 4/17/06)

### **8.3. Procedures for PD district application processing.**

All applications for a proposed PD district shall be processed in the same manner as all other applications for zoning map amendments as provided in section 19, Amendments.

(Ord. No. O-00-26, § 3, 5-15-2000)

### **8.4. Use regulations.**

Deviation from the regulations established in this ordinance applicable to particular uses may be permitted when the developer demonstrates that adequate provisions have been made in the planned development for sufficient light and air, that the density of the development is compatible with surrounding land uses, that pedestrian and vehicular traffic circulation systems

are safe and efficient, that the development will progress in orderly phases, and that the public health, safety and general welfare will be protected. However, higher and more restrictive specific standards for use, architecture, density, height, lot area, setback, visual screens, landscaping, parking, sign control and open space may be adopted as a part of the development site plan and the PD district ordinance amendment. For the PD district, use regulations applicable to a particular use shall be the same as if such use were situated in the most restrictive district in which such uses are otherwise permitted in this ordinance, unless other restrictions and regulations are approved as a part of the development site plan and the PD district ordinance amendment.

(Ord. No. O-00-26, § 3, 5-15-2000)